

# MEMO ENDORSED

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<i>Nourse &amp; Bowles</i>

75 Main Street, Suite 205  
Millburn, New Jersey

A application  
denied.  
Conference will  
be adjourned from  
May 30 to September 5, 2008  
at 9:30 am.

### VIA FACSIMILE - 212-805-7949

Honorable P. Kevin Castel  
United States District Court  
500 Pearl Street, Room 2260  
New York, New York 10007-1312

Re: **BBC CHARTERING & LOGISTIC GmbH & CO. KG**  
**v. VINGO RESOURCES PTY LTD and VINGO**  
**RESOURCES LTD, 08 Civ. 0213(PKC)**

Dear Judge Castel:

We represent the plaintiff, BBC Chartering & Logistic GmbH & Co. KG Ltd. in the above matter. A pre-trial conference has recently been scheduled in this matter for May 30, 2008 at 9:45 a.m.

This is a case in which the plaintiff has sought Rule B attachment and garnishment pursuant to the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure in aid of arbitration in London. No funds have been attached to date but arbitration is proceeding. Our clients wish to have this case placed on the suspense docket pending the outcome of the London arbitration but reserve the right to serve process in the interim.

We respectfully request, in the circumstances, that the matter be placed on the suspense docket and that the pre-trial conference be adjourned sine die. Attached is a proposed order transferring the case to the suspense docket for your Honor's consideration. No previous request for this relief has been made.

Respectfully submitted,

NOURSE & BOWLES, LLP

By:

Armand M. Pare, Jr.

I have funds, have  
been attached by Sept 5  
2008 then I anticipate  
a voluntary dismissal.

AMP:ll  
Encs.